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H – 936

International Court of Justice

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OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

6 June 1946

(THE COMMISSION CONVENED AT 1000 HOURS.)

COMMISSIONERS:

Captain Joseph Tubridy
George Taylor.

POLITICAL LEADERS.

EWALD SCHLIECKER, a witness, took the stand and testified as follows:

CAPTAIN TUBRIDY:

Q What is your name?

A Ewald Schliecker.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

CAPTAIN TUBRIDY: You may sit down.

COLONEL JONES: Before this witness commences his evidence, I would like to mention a Document, which I presented the other day, D-884 - Political Leadership Corps Document 4. We had the original file which was presented to the witness. That file was borrowed from an office in England and that office is particularly anxious to have the original document back, therefore, I had the Document, which I am referring to, photostated and with your permission, I will submit a copy of the photo-

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state as the court exhibit in lieu of the actual original Document.

CAPTAIN TUBRIDY: There is no objection.

DR. BERGES: May I see the original Document?

COLONEL JONES: I don't have the original Document here, but will get the original. I have a photostatic copy for you now.

(DR. BURGES IS HANDED A PHOTOSTATIC COPY OF POLITICAL LEADER CORPS DOCUMENT NO. 4.)

BY DR. BURGES:

Q When were you born?

A I was born on March 24, 1911.

Q Where

A In Luegde.

Q Give us briefly your professional career.

A I was trained as an administrative officer. I received practical experience between 1925 and 1928, then attended professional schools. I passed a secretarial examination in 1936 and an inspectore examination. I worked in West Fasin in Hanover. My last profession was as an administrative inspector in the city of Rhineland.

Q When did you become a member of the party?

A I joined the party on December 1, 1931.

Q How old were you then?

A I was then 20 years of age.

Q Were you politically active before that time?

A I was not particularly active politically. I belonged to Catholic youth organizations and athletic organizations.

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Q Why did you join the Nazi party?

A The economic depression drove me to the party. My monthly income was only 95 marks and I paid 80 marks for rent. I did not make enough to eat, therefore, the economic depression was one of the reasons and then, we all expected the Democratic party at that time to mean an improvement. In spite of the good will on their part, they did not succeed. It was felt that perhaps the extreme part would do good so therefore the young people joined the extreme party.

Q What offices did you hold as a political leader?

A I started as a political leader in 1934.

Q In what department?

A In the Department of Welfare (NSV) then I was with the Joy Through Strength Department (KDF) for the department of Children Workers. In 1936, I was appointed kreishauptstellenleiter, which would be assistant to the district chief. In November, 1937, I was ordered to join the Kreistlieter, at the district office in Coblenz. I was ordered to join, I did not apply for that position. I worked there in the Filing department of the administrative departments, I always worked in an administrative capacity because of my training which was that of an administrative official. In December, 1938, I became Gauhauptstellenleiter and remained in that position until July of 1939 when I joined the army. I then participated in the war until August of 1940. I was a 2nd Lieutenant of Infantry in the Army from September, 1940 until April of 1943. I was at Hermesk as executive officer of the district. In March of 1941 I became temporarily the districtchief.

COLONEL JONES: Did you say district chief? By that what do you mean.

THE WITNESS: My title was executive officer in charge of the Kreis and I was substitute for the Kresileiter, which is district chief.

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In April of 1943, I came to Adrweiler and reached the climax of my career by becoming Kreisbauernfuhrer, which would be the chief of staff of the Kreis. Since the Kreisleiter was absent at the time, I filled his office and acted as Kreisleiter. I held this position until March, 1945 when the Kreis was lost to the enemy.

BY DR. BERGES:

Q To summarize your career, you have been a political leader in the western part of Germany for eleven years?

A Yes.

Q As you told us, you held a number of positions below the rank of Kreisleiter?

A Yes.

Q Maybe it would be appropriate if you would give us the structure and functions of these different offices the Kreisleiter had and his staff.

A Yes.

Q Did there exist as staff officers at the office of the Kreisleiter and inner circle and a wider circle?

A Yes, there existed an inner circle and a so-called enlarged staff.

Q Would it be possible to call the inner circle the staff of leadership?

A Not usually, the inner circle was composed of those who held the most important offices.

Q Enumerate that.

A In the Inner Circle were the political offices and the Nazi professional occupational head of the Departments.

Q If you can remember, please enumerate who belonged to one group and who belonged to the other.

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A The Inner circle was equally composed of an organization office, Treasury office, propaganda office, training office and staff office. I also wish to add the personnel office. The offices which composed the enlarged circle of the staff were: (1) Communion politics; (2) Communion Organizations Technique Department; (3) Economy (4) Volkssturm; (5) Race Politics; (6) Health; (7) Press (8) Veterans, farmers, civil servants and educators. The last two become inactive in 1942.

Q Am I correct in saying that there was no difference in the lines of political offices and professional offices?

A That is correct, but I would like to add to the offices of the enlarged staff the representative of the NSD, the welfare organization and the DAF which is the German Labor front.

Q All those office holders which you listed did not work alone? They were not independant? Did they have assistants or co-workers?

A That all depended on the organization of the office particularly during war time. Some had a number of assistants, some had only one or two and some had none.

Q Will you please enumerate the rank of the assistants and the office holders in the Kreis?

A The leaders in the inner circle had the rank of Kreishauptmann-leiters, which would be chiefs of the Kries main offices and the heads of the Departments, which formed the larger staff were Kreisampsleiters, that would be heads of the Kreis offices. Both of these had assistants even if they were only professional assistants. The sequence of offices going from the top down of the Hoheitsgebiete. The top would be the Hauptamts-leiter, the next would be the Amtsleiter, the next would be the Haupt-

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stellenleiter, then the Stellenleiter and the Sachbearleiter

Q You were working at the Gau, was the structure of the offices the same there?

A Yes, the structure was the same as that described in the Kreis.

Q How was the structure on the local level.

A The structure was eseentially different on the local level. The top man was the Ortsgruppenleiter. He had one amtsleiter below him and below the amtsleiter were the zellenleiters or the men in charge of the zells and the blockleiters or the men in charge of the blocks. The men in charge of the NSV and others who worked there were simply co-workers and did not have a proper title to their name.

Q I have here before me the indictment - only the English text - and the Indictment speaks of certain political leaders as principle staff officers, which would imply there were other staff officers, which would not be called principle staff officers. Whom would you consider as belonging to the principle staff officers of the Kreis and Gau?

COLONEL JONES: According to the interpretation, the defense counsel says he has the indictment, I think he has the trial brief and not the indictment, a confusion which keeps arising during the course of this case.

DR. BURGES: You are correct, it is the trial brief and not the indictment.

BY DR. BURGES:

Q Will you answer the question?

A The term "staff officer" was unknown to me until I came here. We did not use that term, but I am acquainted with it now and I do know what you call staff officers here. I will list now those professional members of

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the staff, which I would not consider as principle staff officers, because they held only staff positions. They are the Hauptstellenleiters and those Stellenleiters which I would not consider principal staff officers, as they were not concerned with political questions, then the deputy for full employment, the deputyfor air raid protection, the daputy for building of emergency homes and the counsellor for local affairs. These four offices and the Hauptstellenleiters and Stellenleiters I would not consider as principle staff offices. I would also say that the amtleieter would not be considered as a principle staff officer. The Communication Political Department is also a very unimportant positions, as well as the office handling economic problems of the Kreis. The next office would be the office of technical departments which had the function of purely professional field of technical problems. The next office would be the office of the public health, which included physicians, dentists and other medical people whichout any special function. Then the office for civil servants and educators. There were up to 42 of these and their main function as that of education. Then the office for veterans which was concerned with the wounded and the families of people killed in both the first and second World war. Then the office of Landrat, which would be the office for the farmers. It also had no political significance for two reasons, (1) It existed actually only on paper and (2) because it was concerned only with the professional problems of the farmers. I could also add the Kreisamtsleieters of the NSV and the DAF, who also did not have any political significance particularly during the war.

Q Would it be correct to summarize by saying that one should not consider as principle staff officers all those who did not belong to the inner circle of the staff.

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A Yes.

Q Would it be further correct that one should not consider as principle staff officers the assistants, the co-workers of the staff officers?

A Those co-workers and assistants could not be considered as participating in the real staff work either in the inner circle or the outer circle.

COLONEL JONES: What did they callthemselves?

DR. BERGES: They would be considered with the hauptstellenleiters and the stellenleiters, they would be the staff officers to the staff officers. Furthermore the witness has stated briefly that he cannot consider the heads of professional offices as principle staff officers.

BY DR. BERGES:

Q Is what you told us equally true of the Gaus as it is of the Kreis?

A Yes, it is equally true. Of course, you have to keep in mind that the Gau is a larger sector than a Kreis.

Q I would like to dwell on the functions of the lower political leiters. Understand that I am now referring to the zellenleiters and the blockleiters and the co-workers of the Ortsgruppenleiter, which would be the top man of the lower level. One question in regard to the taking office of the political leiters, the prosecution claims they had to take an oath of loyalty annually?

A No, that is not correct. The only oath the political leiters had to take was when they became members of the Nazi party. Of course, it is true that every year an oath taking was staged, but that was staged for the new political leiters who previous to the ceremony had taken office a few weeks or months previous and therefore had to be sworn in at that time.

Q Were there any regulations obliging members of the party to become

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office holders or to assume any function in any organization of the party.

A Nobody had a duty to become a member of the Nazi party or the SA, but one had the duty to assume an office or to hold an office in the party. If reasons of occupation, time or health would make it impossible for anyone to take office, in such cases one would not have to hold office, but in the event of no such case, one was duty bound to assume or hold office in the party.

Q Is it true that if there were no definite valid reasons against it, any member of the party had to accept the office which was given to him by the local leiter?

A There was not a definite compulsion to take that office, a man was entitled to refuse.

Q What happened if a member of the party, without having a valid reason, refused an office?

A I would not commit any act of that kind, of course, there were refusals to take an office. In that case the leadership of the party examined the reasons given and the point of view which the party leadership held was that if someone did not accept an office cheerfully or willingly, he would not succeed in the office if he was compelled to take it.

Q Is all that you have told us equally true for war time?

A No. In time of war all those rules and regulations were more strictly enforced. I believe that later on there was an order by Bormann saying if a member of the party refused to accept or hold office, he should be brought before a party court.

Q What existed at the party court?

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A All penalties imposed on Nazi party members by Nazi courts were only disciplinary penalties, they were warnings and reprimands and in very serious cases one could be expelled from the party.

Q If one was actually expelled from the party, did that have any economical political significance?

A No. Particularly in such cases as just described. For instance, if someone was expelled from the party because he refusedto take office then that did not have any political or economical disadvantage to him, if he could still be considered politically reliable and he was not expelled from the party for such a reason.

Q I have before me PS 2639, which refers to the dismissal, discharge or expulsion of civil servants from the party.

COLONEL JONES: What prosecution book is it in?

DR. BERGES: I have only an excerpt from orders issued by the deputy of the Fuehrer, circular letter 49-36, no date, pages 270-272. It refers to the voluntary living civil servants who want to leave the party. "In such a case a thorough investigation is to be initiated to establish the motives the civil servant had for leaving the party. If he has done so because he opposes the political attitude of the party, then he will not be able to r main a civil servant. Even if those conditions are not existant, one has to conclude that his leaving the party, considering the close affiliation between the party and the state, that this civil servant has not the close connection to the National Socialist State or that he has not the spirit of willingness or spirit to make sacrifices. Therefore, that

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civil servant has to expect that he will be excluded from allpreference advancements and that he will be put on the waiting list when advancements are considered. Whenever a civil servant is expelled from the party then I have to be given in two copies the full text of the explanation containing all the facts concerning the case."

Is it not true, witness, that as far as the party is concerned the penalty is not too severe but as far as civil servants are concerned very serious consequences are to be expected in the case that a civil servant was expelled from the party.

A Yes, that is correct. Civil servants were considered an executive part of the National Socialist state and they were expected, on the basis of the law concerning professional civil servants to give unlimited loyal service to the National Socialist state.

Q Were there many civil servants who were serving as amtsleiters or political leiters?

A Most of the civil servants were old people or people who had been expelled from their work. They did not fear the position of Amtleiter.

Q On the basis of your own experience could you give us an estimate percentage of civil servants among the political leiters?

A Yes, in 1936-37 the percentage of teachers among the NSDV among the political leiters was 80%.

Q Could you give similar estimates in regard to the other functions and offices of the party?

A Yes, among the Ortsgruppenleiters, the top man of the lower level, civil servants, again particularly teachers, contributed from 50% to 70%, mainly for the reason they had the training and ability to express them-

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selves much better than workers or peasants who could have served if they had the training which civil servant teachers did have.

Q Was this true of the blockleiters and zellenleiters?

A No, strangely enough on the level of blockleiters and zellenleiters the offices were predominately filled by workers and craftsmen.

Q Was that determined by the nature of the blockleiters and zellenleiters?

A Yes, it would have been a shame to use a civil servant who had been trained to fill a higher position in the Kreis on a blockleiter and zellenleiter basis when people with less training could serve equally as well.

Q Are you aware, witness, that the organization book of the party seems to be in contradiction to what you have told us regarding the blockenleiters and zellenleiters position in the party?

A I do know at least a part of the organization book of the party and the sentence to which you have referred. On the basis of my own experience and the experience of my own organization, I say that we did not consider the blockleiters and zellenleiter as the Hoheitsgebiete as they did not enjoy the priviliges as did the Hoheitsgebiete.

Q How come that you know only part of the organization book?

A As I recall correctly, the most recent edition of the organization book of the party was either the 6th or 7th edition. I might say briefly that the book was too unrealistic, too thick and too involved for me to make much use of it.

Q Did it not contain binding orders by the Fuehrer?

A Insofar as I recall, it was issued by Dr. Lyon without the issuance of special approval by the Fuehrer.

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Q In regard to the problem of the blockleiters and zellenleiters, I would like to ask you a few specific questions. The organization book states that blockleiters and zellenleiters are authorized to put special labels on the outside of their houses. It is on Page 39-A. Do yuu know anything about that?

A I have been active in a number of Gaus, therefore, my answer can cover wide territory. In no case in no Gau did I ever see a label or badge at the house of any zellenleiter or blockleiter. I do recall that in 1941 I requested from the Reichs Office that they furnish uniforms and similar equipment. I asked for a badge to be put on the door of the house of the Ortsgruppenleiter, the top man of the lower level and I was informed that such badges were not available. That was true of 1940-41.

Q Would it be true that the organization book gave a different theory in regard to that matter?

A Apparently it pictured a state of affairs that did not exist.

MR. MONNERAY: Perhaps the defense counsel could read the passage to which you are referring.

DR. BERGES: "The following political leiters may affix to the door of their apartment a wide badge with black border of the size 14x8 cm.: Ortsgruppenleiter, Zellenleiter and Blockleiter of the party."

BY DR. BERGES:

Q The organization book also claims that the zellenleiters and block-leiters had a staff of co-workers.

A It would be correct to talk of a staff of blockleiters, there was coordinated to him the so-called blockwall a part of the NSD, the welfare organization and the women's organization. They were coordinated to help, but it would not be proper to consider them part of it.

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Q In regard to the blockleiters, did the blockleiters have any discipline rights and functions over them.

A No, none at all. Those rights were possessed only by the Ortsgruppenleiter, the top man on the lower level.

Q How much larger political rights did the political leiters in the staff of the [illegible] Ortsgruppenleiter have over the block-leiters?

A Most certainly the rights and functions of the Amtlieter of the staff of the Ottsgruppenleiter were much larger than those of the block-leiter.

Q Did the amtsleiter of the ortsgruppenleiter, the professional co-workers of the local top man, have the right to give orders and instructions to the blockleiters and zellenleiters.

A Yes, they could do so.

Q Did on the other hand, the blockleiters and zellenleiters have any right to give orders and instructions to the amtsleiters?

A No, none at all.

Q The prosecution calls the blockleiters and zellenleiters "Little Nazi Princes", did they have any rights or functions which would justify their being called such?

A No, none at all.

Q Did they have any police functions or authority?

A No, none whatsoever at no time.

Q Did any political leiter even on a higher level have the right to mobilize the SA for instance?

A No party organization had any functions or rights which were actually functions and rights of the state of any kind, but, on the

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other hand no organization of the party had any rights insofar as the SA or SS was concerned. They led their independant life uninfluenced by any other organization of the party.

Q To make it perfectly clear your answer does not exclude the possibility that a political leiter could come with a request could beg some other party function for cooperation?

A Of course, every relation between the political leiter and the SA was cordial and comradely like. Amtsleiters asked an official of the SA, who had the same rank as he, for the cooperation of the SA men for a specific party function and such a request, as a rule, was always fulfilled.

Q The decision always rested with the unit leader of the SA, did it not?

A Yes, the decision remained with the leader of the unit.

RECESS.

(THE COMMISSION RECONVENED AT 1130 HOURS.)

BY DR. BERGES:

Q In the organization book we find on page 101: "Those who are spreading damaging rumors have to be reported by the blockleiters to the Ortsgruppenleiter, so that the state authority in such confidence he falls can be at fault." Were the blockleiters requested by the zellenleiters or by the Ortsgruppenleiter to spy on those people living in their block as the prosecution claims, referring to that condition which I just read to you?

A No, never, in no manner whatsoever.

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Q Did there exist even a regulation prohibiting such kind of spying?

A Yes, it was thought that the blockleiter should enjoy the confidence of the people living in his block. He surely could not have enjoyed such confidence if he would have spied on anyone.

Q Do you know of an order issued by Hitler and posted in all party offices during the last few years saying "that only that person should know about a matter who is concerned with the execution of it." Noone should know more of a matter than he has to know to execute his task. Did the ortsgruppenleiter conduct business in such a manner?

A I do kno that the ortsgruppanleiter did act in accord.

Q Did there exist any secret order or regulations issued to the blockleiters and the zellenleiters?

A No, it did not exist as the blockleiters and zellenleiters did not have any installations to lock such things away as one has to do with secret orders.

Q The prosecution makes particular reference to the news-sheet, "The Office Holder". Was that paper given to the blockleieters and zellenleiters?

A As far as I know, it went only as far as the ortsgruppenleiter, the top man of the lower level.

Q I have before me Document PS 2958, which is the magazine "The Office Holder". On the inner cover of the magazine there is a key for distribution. That key begins with Gauleiter and ends with Ortsgruppenleiter. Your testimony therefore could be in accord with that key of distribution stating that the blockleiters and zellenleiters did not receive the publication, "The Office Holder."

A Yes.

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Q Are you able, on the basis of your experience gained in western Germany, to make a general statement in regard to the crimes which the political leaders are accused of in regard to peace, war and humanity?

A Yes.

Q What can you say in regard to the planned and contemplated aggressive war planned by the corps of political leaders?

A The political leaders in the west of Germany, which had suffered in previous wars, certainly did not know of and desire an aggressive war.

Q What was the relationship of the election results of March, 1933 in the west of Germany as compared to the entire Reich?

A As far as I remember the number of votes for the Nazi party in the west of the Reich was low, compared to the average of the Reich.

Q On the basis of those results which showed a poor showing from quite a few of the Nazi party, were efforts made in the west of the Reich to gain that part of the Reich for the Nazi party and if so, what efforts were made?

A The party had a particular difficult state in the west of the Reich and it could not have succeeded at all if it would have advocated war in any manner.

Q Is it not true that in the west the political leiters particularly stressed the peaceful intention and declarations of the Reich Government?

A Yes, that is true. After the election results of March, 1933 we spread particular propaganda based on the manifestations of peace and love, which the Fuehrer had given us. We had a special pamphlet, containing excerpts of speeches of the Fuehrer, which we widely distributed to the population.

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Q I have obtained up to now only one copy of the pamphlet, entitled "Sixty Five Million Desire Peace and Work." I shall submit it as a Document.

Beyond those propaganda efforts which you just mentioned did ~~their~~ there exist in the western part of Germany other facts and factors which would have indicated the non-existance of the intention to conduct an aggressive war.

A Yes.

Q Would you mention those facts of special importance?

A In the west of the Reich which is particularly poor, we strongly realized our social obligation. We built schools, homes for children and hospitals and naturally one would not have engaged in such work if one had planned an aggressive war which would destroy those institutions.

Q Could one mention the connections with the western wall?

A I could mention the western wall. Those bunkers were built quite publicly. I was acquainted with it as a civilian and as a soldier, but it certainly could not have been used for an aggressive war.

Q To what extent were the political leiters informed aboutthe construction of the western wall?

A They were well informed because it was their obligation to care for the workers and employees used in the building of the western wall, they were also asked to join in explanations of the structure and construction and to advise in regard to materials to be used.

Q Was it necessary to gather from the building of the western wall that Hitler was contemplating or planning a war for the near future?

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A I thought he just wanted to play safe and protect the welfare of the state.which he created in the Reich.

COLONEL KAREV: I don't think the witness can testify about the intentions of Hitler nor can he pass judgement on that.

CAPTAIN TURBIDY: That is quite true.

BY DR. BURGES:

Q The witness was supposed to state what connections the political leaders drew from the political activities and actions of Hitler.

How far was the western wall completed and how far had the construction progressed in 1939?

A When I entered the western wall as a soldier in 1939, it was not completed at all. Many of its installations had not been comp,eted, both externally and internally. I considered the defensi ve value in certain spots equal to zero.

Q What position did the population of the Rhineland take to the attacks by enemy pilots?

A As is well known, the Rhineland suffered most severely by air attacks as there did not pass one day in which my Gau was not hit. We suffered particularily heavy from low flying pilots especially in 1944 and 1945.

Q Did the political leiters have anything to do with the arrest or with the taking into custody of pilots who had to leave their planes in an emergency?

A No, that was handled exclusively by the Army, the police and the Landrat.

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Q Do you know of an order by Bormann giving certain instructions to the pàlitical leaders in regard to that?

A Yes, I know of the letter by Bormann. I think I almost know it by heart.

Q Give us the contents of the letter by Bormann, which you know.

A In reference to the letter, I remember as follows: "In various parts of the Reich the indignation of the people in regard to low flying pilots, expressed themselves in lynching of the fliers who had to land in an emergency. The Police authorities have been instructed not to interfere with such outbursts of indignation. This is called to your attention." That is the end of the letter.

Q Approximately when did you learn of that letter?

A I think it was in November of 1944.

Q Did similar instructions issued by Goebbels preceed or follow that letter?

A If I am not mistaken, Goebbels instructions preceeded Bormann's letter by six or seven days.

Q How did you take the instructions by Goebbels and Bormann?

A Bormann's letter I took to my files, but since the matter had been discussed in the press I made that subject the topic of my conversation in my next conference with the Kreisleiters and I told them that as far as my Kreis was concerned the old regulations remained in force, such as the taking into custody of enemy pilots and that remained the obligation of the army and the police.

Q Did that mean you and the others in your Kreis put yourselves

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constantly in opposition to Bormann's instructions?

A Yes, so we did and I think we did so on the total level of the Gau, because up to that time the political leaders had been part of the Landsratsamt and we pulled out of the Landsratsamt after the issuance of that order.

Q You did that because you considered that attitude suggested by the order to be illegal, inhumane and immoral?

A The lynching of a person who is defenseless, regardless of the method he used in the defense of his country, is inhuman.

Q Did that attitude taken by the political leaders of the Reich Rhineland show the attitude of the overwhelming population of the Rhineland too?

A Yes. Practically all the Rhineland is catholic and practically all the political leaders of the Rhineland were Catholic, but I can mention a few exceptions on one hand. Such a lynching act would have brought the people of the Rhineland in strict contradiction to their religious views.

Q Have you in your capacity as a political leader learned of any instances of such lynchings?

A No, I do not know of any such case and only in one instance I had to become active on behalf of one of those pilots who had landed in an emergency.

Q How were foreign laborers treated in the west.

A They were treated very well.

Q The prosecution submitted a Document mentioning abortions performed on foreign women laborers. What do you know about that insofar as the Rhineland is concerned? The Document is D-884.

A The office on ethical questions was the one concerned with foreign

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laborers and through the information of that office I learned about those matters.

Q What do you know about these abortions?

A The matter was not within the confidence of the Nazi party, but through the office of Ethical affairs I learned of it. If a foreign worker became pregnant and she personally requested the abortion and if the pregnancy had not lasted too long so that an abortion could have become dangerous, then upon the request of the worker such an abortion could be performed.

Q Do you know of abortions on the basis of that regulation or on the basis of your own experiences in your Kreis?

A No, I know of no abortion in my Kreis. I only know of twenty or more children being born.

Q What happened to the children?

A The birth took place on the farm if the farmer had space enough and if not, in a hospital. The woman did not work during confinement and when she recuperated she took her place again as any farmer's wife and the farmer took care of the infant.

Q Were there any collective shelters for foreign labors in your Kreis?

A Yes.

Q How were they furnished?

A In the Rheinsland near Trier in 1941-42 there were particularly good barracks. The young boys and girls arrived there from Kiev and there were but three or four in one room. Each of them had a bed of their own with mattresses with three blankets, a pillow and linen. They had tables and chairs and even good chinaware.

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Q Did foreign laborers receive clothing through the clothing collections of the party?

A Yes. Everything that could be used and it was almost as good as new. The best things were given to our foreign laborers.

Q Another point of the prosecution. Did you have to follow instructions issued by your superiors hostile to the church?

A No. Anything of that kind, I never received.

Q Were you personally asked to leave the church or give instructions to that effect to your subordinates?

A No, never.

Q Did you or your subordinates participate in the persecution of ministers of the church or members of religious orders?

A No.

Q Did you persecute people hostile to you politically?

A No. I can submit documents proving that I actively aided both the church and people politically hostile to us.

Q Would the persecution of politically hostile forces in the Rhineland be identical with the persecution of the church?

A The politically hostile forces in the Rhineland were concentrated around the old center party and any fight against those forces would have been interpreted as a fight against the church and against faith.

Q How large, in your estimation, is the percentage of Catholics among the population of the Rhineland?

A In the Rhineland the population was about five-sixths or three-fourths Catholic.

Q Was not this decisive factor true of the catholic population in their attitude toward the persecution of the Jews?

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Q The feeling was active against any persecution taken by the political leaders.

CROSS EXAMINATION.

BY COLONEL GRIFFITH JONES:

Q I want to ask you first to clear up the position of the outer group of the Kreis. All political leaders and all members of their staff were presumable members of the party, were they not?

A No, not all of them. Workers of the NSV could work without being party members.

Q Whether or not they were members of the party, they were all occupying those positions voluntarily?

A Yes.

Q By carrying out the work in those positions, they were supporting the party?

A Yes.

Q Of course, they all knew the broad principles of the party policy?

A No, I would not say so. Many of them knew just what they had to know for the fulfillment of their particular tasks.

Q Let me state one or two examples of what they did know. They all knew, did they not, that anti-semitism was one of the fundamentals of the Nazi policy?

A Yes, that was a part of the party program.

Q They all knew, as did every man in Germany, that millions of men and women from occupied territory had been brought back as forced labor for the German people?

A No, not everyone knew that.

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Q Are you telling me that everyone in the Rhineland did not know that there was being employed in every industrial city tens of thousands of people in forced labor?

A Under forced labor am I to understand you mean members of foreign population who had been compelled to come to Germany as foreign labor?

Q Yes, that is what you should understand. Did you not know that there were such people in large numbers being employed in every town and city in the Rhineland?

A Yes, I knew that, but through my many personal intimate contacts and conversations I knew how they happened to come to Germany. I knew they did not come by compulsion but they came voluntarily.

Q Are you saying that you thought all the foreign labor employed in Germany came voluntarily?

A At least they did not tell us different.

Q So your answer to my original question on that was that all the persons employed on the Kreis staff and the various political leaders did not know that forced labor was being employed in Germany?

A Yes, I would say so.

Q Let us go on to another matter of general policy. They knew that concentration camps existed, did they not?

A Yes, all I knew was by hear-say that there existed a concentration camp at Dachau.

Q I am talking about all the Kreis staff, particularly those in the wider circle, the Erweiter. They all knew that concentration camps existed?

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A Yes, but they did not know more than the fact that a concentration camp existed at Dachau, but what was actually going on they did not know, nor did I.

Q They all knew that there was a secret state police in the form of the Gestapo?

A That, everyone knew.

Q People knew, did they not, that the Gestapo had the right and exercised the right to deprive citizens of their liberty and put them into concentration camps?

A Yes, they knew that it was the task of the Gestapo and there were various reasons for such actions.

Q It was known, was it not, that if the Gestapo got ahold of you, you had no trial?

A No, all they knew was that the competence of the Gestapo was political action, whether you subsequently had a legal trial of any kind or trial, they did not know, nor did I.

Q They realized, did they not, that the anti-Jew policy, the concentration camps and the Gestapo were all the official policy of the Nazi party?

A That I would not say without modification. One certainly could not say that the German people as a whole were anti-semitic. For example, I could say that I am not anti-semitic.

Q They knew the matters which I mention, anti-semitism, concentration camps and the Gestapo were parts of the official Nazi state policy?

A No, in that fashion they did not know it. All the people experienced

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the fact that arrests were made and the people were delivered to the courts. What happened afterwards, they did not know.

Q I do not know if you understand my question. Those matters could not have gone on unless they had been officially recognized by the Nazi Government, could they? Was that not recognized by all members of the outer circle?

A It was a part of the state policy to solve the Jewish question. It was not a systematic system of the Gestapo to eliminate Jews, but just in individual cases.

Q I don't know if it is a guilty conscience or not, but please do not introduce matters which I have not asked about. So far, I have not made any mention about the liquidation of Jews.

Let me turn to another matter. The Kreisleiter, the Gauleiter and the Ortsgruppenleiter could never have performed their functions if they did not have the staffs under them, which you described?

A They needed their staff of assistants.

Q That was apparent to everyone was it not?

A Yes.

Q The whole system of Nazi government relied upon the offices of the Gauleiter, the Kreisleiter and the Ortsgruppenleiter?

A They were the leading offices of the party.

Q The Nazi system of Government depended upon those organizations?

A I did not depend upon them because the system of Government was a state government.

Q The Nazi party depended upon the offices of the Gauleiter, the Kreisleiter and the Ortsgruppenleiter and the other political leaders?

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A Yes, the political leadership of the party depended on that.

Q I will ask you one question to complete that matter. If the person employed in the lower brackets, the outter circle, knew, as you have admitted they must have known, that the Nazi party accepted the principles of anti-semitism, concentration camps and the Gestapo, and that the party relied upon the leadership corps and that the political leaders themselves could never function without the outter circle, the Erweiter, why do you say that the Erweiter should not be included in the organization which we are attempting to say is criminal?

A Those members of the wider circle were only professional function performers, such as administering the finances, taking care of shelters for air raids, etc. I cannot say that these people should be considered as part of the other group.

(THE COMMISSION RECESSED AT 1300 HOURS.)

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H0936-0030

(The hearing reconvened at 1430 hours, 7 June 1946)

EWALD SCHLIECKER - Resumed
CROSS EXAMINATION - Continued.

BY COLONEL JONES:

Q I want to ask you a few questions about the particular office holders in the lieter standarte. The first one you gave us was the office for common law politics. What were the functions of that office?

A The function of that was to take care of the community administration on the business of law, called the Gemeindeordnung. It's regular function was to serve as a counsel in regard to the appointment of members of the city council.

Q And were the members of the city council members of the Nazi Party?

A They were not compelled to be party members. All of them were not actually members of the party.

Q Were the vast majority of them members of the party?

A Fifty per-cent.

Q Was the city council under the authority of the Kreisleiter?

A No, it wasn't.

Q Can you explain to us why it should be that the Kreisleiter should have an office for the

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selection of persons employed by the City Council if the City Council was not under it's authority?

A In accordance with that law which I mentioned, the Gemeindeordnung, the party had a right to such appointment, [redacted] to fill vacancies whenever they occurred in the city council, and whenver the party met, the authorities made the appointments.

Q Now I take it that all of the recommendations made by the Kreisleiters Department, [redacted] then all communal politics were in respect to persons who were members of the party.

A If they were actually members of the party, because particularly in the country there were too many party members.

Q Can you tell me what the duties of the technical office were?

A The office of technical [redacted] tasks sought the technical union of those who were in occupations of a [redacted] nature and directed their political activities and brought to the attention of the authorities all revenues and matters pertaining to their betters and also [redacted] if they occurred in the lower strata of society, because the state itself did not have a system going as low and as deep as the party had.

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Q Why do you say that the Kreishauptmannleiter in charge of this office was not a political leader which was responsible for the ~~political~~ political training of the persons?

A Because the ~~propaganda~~ amt training in ~~his~~ his department was not his own intelligent responsibility but actually emerged from special departments for propoganda and training.

Q Could you tell me the ~~tasks~~, and I want you, if you will, to try to keep it as short as possible, can you tell me the tasks of the economic department?

A His title was actually ~~economic adviser~~ only adviser for economic affairs and only during war time he had a real function in regard to the economic enterprises which had been bombed out.

Q Will you tell me the tasks of the volkstum or racial department?

A That department was concerned with orders which came into existence by the employment of foreign labor.

Q Were you during the war in a position to have knowledge of the conditions in the Ruhr?

A No, that section of the ~~continent~~ country ~~was~~ was too remote.

Q Was it the duty of the SS of the volkstum deapartment to become acquainted with the conditions of all foreign workers in it's Kreis?

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A, No, actually foreign labor was ~~was~~ considered to be in the labor office, the ~~Rix XXXXX~~ Reichsnahrstand, which is an organization of all foreigners, and only in cases where the employer or employee requested ~~xx~~ the aid or assistance of the party in whom they had more confidence, only in those exceptional cases was ~~the was~~ the ~~XXXX~~ AMT Volkstumm concerned with foreign labor questions.

Q Was the Volkstum then or the Kreis more concerned with the welfare of foreign laborers?

A To some degree, yes, but the executive power in regard to the foreign labor rested with the NSDP and National Socialist Party.

Q If foreign laborers had been mistreated and had been living under ~~inhxxxx~~ inhumane conditions, would the Volkstum Department have had knowledge of that?

A No, only in exceptional cases.

Q Then perhaps you can tell me with more particularity what it's duties were in respect to foreign labor?

A That office for handling affairs came into existence only after the outbreak of the war, foreign labor was imported into the Reich, and no existing office of the party could take on the new tasks because the already existing offices were over-burdened and it was

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necessary that some person of the party would be informed of all relations concerning foreign labor, and in spite of the fact that those offices in reality couldn't deal with it, it was necessary that some party member should know all about ~~all about~~ these complaints, they should reach the party, and it was necessary because the party itself goes much deeper in the common people than any of the state ~~xxxxx~~ institutions.

Q And going also deeper as it did, is it possible that some twenty thousand persons, foreign laborers, for instance in Essen, should have been living for months under the most incredible conditions without anybody in the Kreis knowing of it?

A I don't know about the conditions at Essen, but I do know that the people ~~xxxxx~~ lived in such conditions as the German people themselves lived, because both the German and foreign people suffered so heavily under the assault of air attacks.

Q Very well, we will ~~xxxx~~ leave that. I don't want to waste time on that but we will go on to the next department, the racial politics. What was their job?

A Practically the office for welfare affairs did not function at all. I could only say theoretically what it was supposed to ~~xx~~ do, but what it did~~xxx~~ do I don't know.

Q What was it theoretically supposed to do, ~~xxx~~

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persecute the Jews? ~~Now I must interrupt you because we must try to keep these answers shorter, if you are going to make a speech every time you must pause every time for the Interpreter.~~

A I said ~~the XXXXXXXXXXXX~~ it was the function of the office in welfare cases to spread enlightment and knowledge on welfare problems and to advise people on the laws of inheritance as formulated by the manual, and on ~~the~~ xxxx questions like marriage and family problems.

Q Was there any connection or liaison between that office and the xxx similar office in the SS organization?

A No, not that.

Q Will you tell me what the press office did?

A The press office handled the press or whatever happenings or occurrences there were.

Q The veterans' office?

A That office was concerned with the care of wounded in the hospitals and the care of veterans who had to be dismissed from the armed services, with the families of people who had been killed in the service, with the pensions to them, and also similar questions.

Q The farmers' office?

A That xx existed only since 1942.

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Q And there has been a Kreishauptmannleiter in charge of that theoretical office?

A Yes, that was in that respect, as a matter of fact, under the war department permit, and functioned only under that department.

Q Then were his duties confined only to theoetical duties with the farmers?

A No, because in all cases it was the same thing, a Kreisbauernfuhrer, that means the leaders of the farmers, and in that function he had to perform a tremendous number of actual tasks.

Q Then let me know the tasks he performed in that function?

A As such he was subordinated not to the party but to the Bauerhnfuhrer or leaders of the farmers of the land or Reich and functioned in that way to secure the government in feeding the people.

Q Will you tell me about the civil service department?

A It unified all civil servants at one shot and had ~~in a~~ political direction of all civil servants.

Q Very well, the education then?

A The same as the civil service.

Q The educational department presumably directed the education in accordance with the party and government direct, didn't it?

A No, that wouldn't be correct. It was the office

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which took care of all those who were engaged in the profession of teaching.

Q And why should they only take particular care of those? What were it's tasks in taking care of it?

A It was necessary in regard to the profession of civil servants and of the educators because they were both out in important groups to give them for that office the right Nazi spirit and right thinking of the party.

Q And the other, the welfare and labor groups, I don't think I need worry any more. Now tell me, in industrial centers, employing a great number of people in factories, would there be amongst those employees a number of men who were blockleiters and zellenleiters?

A Yes.

Q If anything was wrong, would it be their duty to report it to the ortsgruppenleiter or to the higher formations of the party? For instance, suppose that a Revolution was being organized and the blockleiters heard about it, a blockleiter heard about it, would it be considered his duty to report it?

A I guess it wouldn't have been necessary, because the ortsgruppenleiter goes just as deeply as the blockleiter and it would have been in the mouths of the people and they would have known about it, but I wouldn't attempt to answer that.

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Q And if the ortsgruppenleiter heard about it, he, of course, would have reported it to higher formations?

A Yes, but I must stress here, however, it was the function of the party to supervise hostilities toward the State.

Q It was the function of the party, however, to maintain the high unsullied reputation, it was the task of the parties and it's leadership group to maintain it's high unsullied reputation?

A It was the task of the party to form the socialist state and it was the function of the state to see that all hostile sources would be curbed.

Q And then would it be in accordance with the official status of the state to have vast numbers of foreign workers living in ~~xxxxx~~ inhumane conditions?

A No, it wouldn't have been.

Q If it had happened it would certainly have been the duty of all ranks of the political leaders to report it and to remedy it, would it Not?

A No, not exactly, because those tasks were the tasks of the labor office, but if the party authorities would have heard about it, the party probably would have called it to the attention of the labor office.

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Q Therefore, I will leave that subject. I want to turn to Document D-884, and that is, as you see, a letter dated the 28th of March, 1944. Perhaps the Interpreter could look at it the same time as the witness.

INTERPRETER: To what page are you referring?

BY COLONEL GRIFFITH JONES:

Q And it is in respect to the abortion and the treatment of children of those foreign women workers. Would you look at page 2 of the letter? Under paragraph I; "The factories will report all cases of pregnancy to the common labor office." What labor office is that?

A That was the labor office of the state.

Q Will you look over on the page at the distribution, and you will see that it is distributed among other offices, the Gauleiter offices. Do you not see now that paragraph I, part 2 of the letter refers to the Gau Labor office?

A No, the usual procedure of the State labor office it obtained a copy of such letter and refers to it such letter so that it should have been informed.

Q The Gau labor office, you mean?

A Yes.

Q Look at paragraph 2, the Youth office, is that an office of the Gau?

A No, the Youth office is again a Governmental department existing on the different levels of state government.

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Q And in the last line of paragraph 2, the XXXXX Youth office reports to the health office, what sort of office is that?

A Exactly as the Youth office, the Health office is an office of no authority, a landarte, which is a state government official of the party.

Q And the letter is sent to the Gauleiter for national health, simply for information, is that right?

A Yes, that is exactly correct.

Q Very well, now would you look at - - let me refer you to a copy of document PS-062, US 696. Now you told us about the document of an airman in the Rhineland under Bormann, and I have here an order of March, 1940, which is a directive from the Deputy Fuehrer Hess and is addressed to all Gauleiters. It encloses with it a directive which reads as follows:

"Enemy parachutists are immediately to be arrested or liquidated."

and it contains instructions -

DR. BERGES: Do you have the original German text?

COLONEL JONES: I haven't got it here but it has been exhibited and it can be found. It was exhibited. Did I not hand you one the other day? I haven't got the original here but it has been exhibited.

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DR. BERGES: As far as I remember the original text did not use the word "liquidate", but "to make harmless".

COLONEL JONES: I quite agree with you. I believe that is so. It is translated into English as "liquidate" but that is so and I submit the exact words in German.

BY COLONEL JONES:

Q The letter contains directions under which this information was to be passed orally to Kreisleiters, Orts-gruppenleiters, Zellenleiters and Blockleiters.

A I don't know those instructions. I never saw them in my life and at that time I was a soldier.

Q Can you, with your experience, tell us what the purpose of ~~xixxxx~~ distributing that information to the blockleiters and zellenleiters and ortsgruppenleiters was?

A No, I can't and I am at a loss to define the whole tasks because it was the task of the army and landrat to deal with this matter.

Q This document is described as a state secret. It is to be passed on only personally in two envelopes against a receipted certificate, translation, if possible, through courrier or trusted personnel. Copies of any kind, as well as making of excerpts is prohibited and the personnel responsible for ~~xxxxxx~~ safe keeping was to suffer the severest punishment in case of a violation of these rules. Here the blockleiters and zellenleiters and indeed

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all of the political leaders were used by the Nazi party as a means of or for the purpose of passing secret instructions to the party?

A No, I don't consider it anything extra-ordinary when matters pertaining to the war should be kept secret.

Q If the blockleiters and zellenleiters are not regarded Hoheitstraeger and ~~xxxxxxx~~ thoroughly reliable party people, why ~~it is~~ is it they have been associated with this ex- ~~xxxxxxxxxxxxxxxxxxxxxxxx~~ ceptionally secret instruction?

A On the one hand I don't know whether those regulations should be considered extra-ordinary, and on the other hand it was necessary to keep the party officials informed that precautions had been made against enemy airplane attack, and it was necessary to keep those instructions secret in order to avoid frightening the population.

Q The point I am putting to you is that, ~~it~~ doesn't it appear from this letter that Hess at any rate regarded all political leaders right then like blockleiters and so on, as being of the same reliability and members of an organization to which he could pass orders he considered to be the most secret instructions?

A No, I don't think so, because I know that Hess, the Deputy Fuehrer, issued another instruction in which he clearly stated that blockleiters and zellenleiters should not be considered Hoheitsraegers in the party.

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CAPTAIN TUBRIDY: Did I understand you to testify you were not familiar with Bormann's instructions because you were in the army at the time?

WITNESS: No, I did know Bormann's instructions in 1944. The fact I did not know today was the order of Hess in 1940 to which Colonel Jones ~~Refs~~ referred.

(The Commission adjourned at 1530 Hours 7 June 1946)

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The ~~fx~~ foregoing is a true and correct transcript of the testimony of EWALD SCHLEICKER, taken on 7 June 1946.

Alice Meehan
Reporter 1-27

Rose W Cook
Reporter 28-41

Reporter

CERTIFIED TO:

Joseph F Nubridy
Commissioner

Commissioner

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

7 June 1946

(THE COMMISSION CONVENED AT 1000 HOURS)

COMMISSIONERS:

Captain Joseph Tubridy.
George Taylor.

POLITICAL LEADERS

EWALD SCHLIECKER, a witness, took the stand and testified as follows:

CAPTAIN TUBRIDY:

Q What is your name?

A Ewald Schliecker.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath)

CAPTAIN TUBRIDY: You may sit down.

COLONEL JONES: Before this witness commences his evidence, I would like to mention a Document, which I presented the other day, D-884 -- Political Leadership Corps Document 4. We had the original file which was presented to the witness. That file was borrowed from an office in England and that office is particularly anxious to have the original document back; therefore I had the Document, which I am referring to, photostated and with your permission, I will submit a copy of the photostat as the court exhibit in lieu of the actual original Document.

CAPTAIN TUBRIDY: There is no objection.

DR. BURGES: May I see the original Document?

COLONEL JONES: I don't have the original Document here, but will get the original. I have a photostatic copy for you now.

(DR. BURGES IS HANDED A PHOTOSTATIC COPY OF POLITICAL LEADER CORPS DOCUMENT NO. 4)

BY DR. BURGES:

Q When were you born?

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A I was born on March 24, 1911.

Q Where?

A In Luegde.

Q Give us briefly your professional career.

A I was trained as an administrative officer. I received practical experience between 1925 and 1928, then attended professional schools. I passed a secretarial examination in 1936 and an inspector examination. I worked in Westphalia in Hanover. My last profession was as an administrative inspector in the city of Rhineland.

Q When did you become a member of the party?

A I joined the party on December 1, 1931.

Q How old were you then?

A I was then 20 years of age.

Q Were you politically active before that time?

A I was not particularly active politically. I belonged to Catholic youth organizations and athletic organizations.

Q Why did you join the Nazi party?

A The economic depression drove me to the party. My monthly income was only 95 marks and I paid 80 marks for rent. I did not make enough to eat, therefore, the economic depression was one of the reasons and then, we all expected the Democratic party at that time to mean an improvement. In spite of the good will on their part, they did not succeed. It was felt that perhaps the extreme part would do good, so therefore the young people joined the extreme party.

Q What offices did you hold as a political leader?

A I started as a political leader in 1934.

Q In what department?

A In the Department of Welfare (NSV) then I was with the Joy Through Strength Department (KDF) for the department of Children Workers. In 1936, I was appointed kreishauptstellenleiter, which would be assistant to the district chief. In November, 1937, I was ordered to join the Kreisleiter, at the district office in Coblenz. I was ordered to join, I

did not apply for that position. I worked there in the Filing Department of the administrative departments, I always worked in an administrative capacity because of my training which was that of an administrative official. In December, 1938, I became Gauhauptstellenleiter and remained in that position until July of 1939 when I joined the army. I then participated in the war until August of 1940. I was a 2nd Lieutenant of Infantry in the Army from September, 1940 until April of 1943. I was at Hermesk as executive officer of the district. In March of 1941 I became temporarily the district chief.

COLONEL JONES: Did you say district chief? By that what do you mean?

THE WITNESS: My title was executive officer in charge of the Kreis and I was substitute for the Kreisleiter, which is district chief.

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In April of 1943, I came to Adrweiler and reached the climax of my career by becoming Kreisbauernfuhrer, which would be the chief of staff of the Kreis. Since the Kreisleiter was absent at the time, I filled his office and acted as Kreisleiter. I held this position until March, 1945 when the Kreis was lost to the enemy.

BY DR. BERGES:

Q To summarize your career, you have been a political leader in the western part of Germany for eleven years?

A Yes.

Q As you told us, you held a number of positions below the rank of Kreisleiter?

A Yes.

Q Maybe it would be appropriate if you would give us the structure and functions of these different offices the Kreisleiter had and his staff.

A Yes.

Q Did these exist as staff officers at the office of the Kreisleiter and inner circle and a wider circle?

A Yes, there existed an inner circle and a so-called enlarged staff.

Q Would it be possible to call the inner circle the staff of leadership?

A Not usually, the inner circle was composed of those who held the most important offices.

Q Enumerate that.

A In the Inner Circle were the political offices and the Nazi professional occupational head of the Departments.

Q If you can remember, please enumerate who belonged to one group and who belonged to the other.

A The Inner circle was equally composed of an organization office, Treasury office, propaganda office, training office and staff office. I also wish to add the personnel office. The offices which composed the enlarged circle of the staff were: (1) Communion politics; (2) Communion Organizations Technique Department; (3) Economy (4) Volkssturm; (5) Race Politics; (6) Health; (7) Press (8) Veterans, farmers, civil servants

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and educators. The last two become inactive in 1942.

Q Am I correct in saying that there was no difference in the lines of political offices and professional offices?

A That is correct, but I would like to add to the offices of the enlarged staff the representative of the NSD, the welfare organization and the DAF which is the German Labor front.

Q All these office holders which you listed did not work alone? They were not independent? Did they have assistance or co-workers?

A That all depended on the organization of the office particularly during wartime. Some had a number of assistants, some had only one or two and some had none.

Q Will you please enumerate the rank of the assistants and the office olders in the Kries?

A The leaders in the inner circle had the rank of Kreishauptmann-leiters, which would be chiefs of the Kreis main offices and the heads of the Departments, which formed the larger staff were Kreisampsleiters, that would be heads of the Kreis offices. Both of these had assistants even if they were only professional assistants. The sequence of offices going from the top down of the Hoheitsgebiete. The top would be the Hauptamts-leiter, the next would be the Amtsleiter, the next would be the Haupt-stellenleiter, then the Stellenleiter and the Sachbearleiter.

Q You were working at the Gau, was the structure of the offices the same there?

A Yes, the structure was the same as that described in the Kreis.

Q How was the structure on the local level.

A The structure was essentially different on the local level. The top man was the Ortsgruppenleiter. He had one amtsleiter below him and below the amtsleiter were the zellenleiters or the men in charge of the zells and the blockleiters or the men in charge of the blocks. The men in charge of the NSV and others who worked there were simply co-workers and did not have a proper title to their name.

Q I have here before me the indictment - only the English text - and

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the Indictment speaks of certain political leaders as principle staff officers, which would imply there were other staff officers, which would not be called principle staff officers. Whom would you consider as belonging to th principle staff officers of the Kreis and Gaus?

COLONEL JONES: According to the interpretation, the defense counsel says he has the indictment, I think he has the trial brief and not the indictment, a confusion which keeps arising during the course of this case.

DR. BERGES: You are correct, it is the trial brief and not the indictment

BY DR. BERGES:

Q Will you answer the question?

A The term "staff officer" was unknown to me until I came here. We did not use that term, but I am acquainted with it now and I do know what you call staff officers here. I will list now those professional members of

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the staff, which I would not consider as principal staff officers, because they held only staff positions. They are the Hauptstellenleiters and those Stellenleiters which I would not consider principal staff officers, as they were not concerned with political questions, then the deputy for full employment, the deputy for air raid protection, the deputy for building of emergency homes and the counsellor for local affairs. These four offices and the Hauptstellenleiters and Stellenleiters I would not consider as principal staff offices. I would also say that the amtleiter would not be considered as a principal staff officer. The Communication Political Department is also a very unimportant position, as well as the office handling economic problems of the Kreis. The next office would be the office of technical departments which had the function of purely professional field of technical problems. The next office would be the office of the public health, which included physicians, dentists and other medical people without any special function. Then the office for civil servants and educators. There were up to 42 of these and their main function as that of education. Then the office for veterans which was concerned with the wounded and the families of people killed in both the first and second World War. Then the office of Landrat, which would be the office for the farmers. It also had no political significance for two reasons (1) it existed actually only on paper and (2) because it was concerned only with the professional problems of the farmers. I could also add the Kreisamtsleiters of the NSV and the DAF, who also did not have any political significance particularly during the war.

Q Would it be correct to summarize by saying that one should not consider as principal staff officers all those who did not belong to the inner circle of the staff?

A Yes.

Q Would it be further correct that one should not consider as principal staff officers the assistants, the co-workers of the staff officers?

A Those co-workers and assistants could not be considered as participating in the real staff work either in the inner circle or the outer circle.

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COLONEL JONES: What did they call themselves?

DR. BERGES: They would be considered with the hauptstellenleiters and the stellenleiters, they would be the staff officers to the staff officers. Furthermore the witness has stated briefly that he cannot consider the heads of professional offices as principal staff officers.

BY DR. BERGES:

Q Is what you told us equally true of the Gaus as it is of the Kreis?

A Yes, it is equally true. Of course, you have to keep in mind that the Gau is a larger sector than a Kreis.

Q I would like to dwell on the functions of thelower political leiters. Understand that I am now referring to the zellenleiters and the blockleiters and the co-workers of the Ortsgruppenleiter, which would be the top man of the lower level. One question in regard to the taking office of the political leiters, the prosecution claims they had to take an oath of loyalty annually.

A No, that is not correct. The only oath the political leiters had to take was when they became members of the Nazi Party. Of course, it is true that every year an oath taking was staged, but that was staged for the new political leiters who previous to the ceremony had taken office a few weeks or months previous and therefore had to be sworn in at that time.

Q Were there any regulations obliging members of the party to become office holders or to assume any function in any organization of the party?

A Nobody had a duty to become a member of the Nazi party or the SA, but one had the duty to assume an office or to hold an office in the party. If reasons of occupation, time or health would make it impossible for anyone to take office, in such cases one would not have to hold office, but in the event of no such case, one was duty bound to assume or hold office in the party.

Q Is it true that if there were no definite valid reasons against it, any member of the party had to accept the office which was given to him by the local leiter?

A There was not a definite compulsion to take that office, a man was entitled to refuse.

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Q What happened if a member of the party, without having a valid reason, refused an office?

A I would not commit any act of that kind, of course, there were refusals to take an office. In that case the leadership of the party examined the reasons given and the point of view which the party leadership held was that if someone did not accept an office cheerfully or willingly, he would not succeed in the office if he was compelled to take it.

Q Is all that you have told us equally true for war time?

A No. In time of war all those rules and regulations were more strictly enforced. I believe that later on there was an order by Bormann saying if a member of the party refused to accept or hold office, he should be brought before a party court.

Q What existed at the party court?

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A All penalties imposed on Nazi party members by Nazi courts were only disciplinary penalties, they were warnings and reprimands and in very serious cases one could be expelled from the party.

A If one was actually expelled from the party, did that have any economical political significance?

A No. Particularly in such cases as just described. For instance, if someone was expelled from the party because he refused to take office then that did not have any political or economical disadvantage to him, if he could still be considered politically reliable and he was not expelled from the party for such a reason.

Q I have before me PS 2639, which refers to the dismissal, discharge or expulsion of civil servants from the party.

COLONEL JONES: What prosecution book is it in?

DR. BERGE: I have only an excerpt from orders issued by the deputy of the Fuehrer, circular letter 49-36, no date, pages 270-272. It refers to the voluntary living civil servants who want to leave the party. "In such a case a thorough investigation is to be initiated to establish the motives the civil servant had for leaving the party. If he has done so because he opposes the political attitude of the party, then he will not be able to remain a civil servant. Even if those conditions are not existant, one has to conclude that his leaving the party, considering the close affiliation between the party and the state, that this civil servant has not the close connection to the National Socialist State or that he has not the spirit of willingness or spirit to make sacrifices. Therefore, that civil servant has to expect that he will be excluded from all preference advancements and that he will be put on the waiting list when advancements are considered. Whenever a civil servant is expelled from the party then I have to be given in two copies the full text of the explanation containing all the facts concerning the case."

Is it not true, witness, that as far as the party is concerned the penalty is not too severe but as far as civil servants are concerned very serious consequences are to be expected in the case that a civil servant was expelled

H0936-0055

from the party.

A Yes, that is correct. Civil servants were considered an executive part of the National Socialist state and they were expected, on the basis of the law concerning professional civil servants to give unlimited loyal service to the National Socialist state.

Q Were there many civil servants who were serving as amtsleiters or political leiters?

A Most of the civil servants were old people or people who had been expelled from their work. They did not fear the position of Amtleiter.

Q On the basis of your own experience could you give us an estimate percentage of civil servants among the political leiters?

A Yes, in 1936-37 the percentage of teachers among the NSDV among the political leiters was 80%.

Q Could you give similar estimates in regard to the other functions and offices of the party?

A Yes, among the Ortsgruppenltiers, the top man of the lower level, civil servants, again particularly teachers, contributed from 50% to 70%, mainly for the reason they had the training and ability to express themselves much better than workers or peasants who could have served if they had the training which civil servant teachers did have.

Q Was this true of the blockleiters and zellenleiters?

A No, strangely enough on the level of blockleiters and zellenleiters the offices were predominately filled by workers and craftsmen.

Q Was that determined by the nature of the blockleiters and zellenleiters?

A Yes, it would have been a shame to use a civil servant who had been trained to fill a higher position in the Kreis on a blockleiter and zellenleiter basis when people with less training could serve equally as well.

Q Are you aware, witness, that the organization book of the party seems to be in contradiction to what you have told us regarding the blockleiters and zellenleiters position in the party?

A I do know at least a part of the organization book of the party and

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the sentence to which you have referred. On the basis of my own experience and the experience of my own organization, I say that we did not consider the blockleiters and zellenleiter as the Hoheitsgebiete as they did not enjoy the priviliges as did the Hoheitsgebiete.

Q How come that you know only part of the organization book?

A As I recall correctly, the most recent edition of the organization book of the party was either the 6th or 7th edition. I might say briefly that the book was too unrealistic, too thick and too involved for me to make much use of it.

Q Did it not contain binding orders by the Fuehrer?

A Insofar as I recall, it was issued by Dr. Lyon without the issuance of special approval by the Fuehrer.

Q In regard to the problem of the blockleiters and zellenleiters, I would like to ask you a few specific questions. The organization book states that blockleiters and zellenleiters are authorized to put special labels on the outside of their houses. It is on Page 39-A. Do you know anything about that?

A I have been active in a number of Gaus, therefore, my answer can cover wide territory. In no case in no Gau did I ever see a label or badge at the house of any zellenleiter or blockleiter. I do recall that in 1941 I requested from the Reichs Office that they furnish uniforms and similar equipment. I asked for a badge to be put on the door of the house of the Ortsgruppenleiter, the top man of the lower level and I was informed that such badges were not available. That was true of 1940-1941.

Q Would it be true that the organization book gave a different theory in regard to that matter?

A Apparently it pictured a state of affairs that did not exist.

MR. MONNERAY: Perhaps the defense counsel could read the passage to which you are referring.

MR. BERGES: "The following political leiters may affix to the door of their apartment a wide badge with black border of the size 14 x 8 cm,: Ortsgruppenleiter, Zellenleiter and Blockleiter of the party,"

BY DR. BERGES:

Q The organization book also claims that the zellenleiters and blockleiters had a staff of co-workers.

A It would be correct to talk of a staff of blockleiters, there was coordinated to him the so-called blockwall a part of the NSV, the welfare organization and the women's organization. They were coordinated to help, but it would not be proper to consider them part of it.

Q In regard to the blockleiters, did the blockleiters have any discipline rights and functions over them.

A No, none at all. Those rights were possessed only by the Ortsgruppenleiter, the top man on the lower level.

Q How much larger political rights did the political leiters in the staff of the Ortsgruppenleiter have over the blockleiters?

A Most certainly the rights and functions of the Amtleiter of the staff of the Ortsgruppenleiter were much larger than those of the blockleiter.

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Q Did the amtsleiter of the Ortsgruppenleiter, the professional co-workers of the local top man, have the right to give orders and instructions to the blockleiters and zellenleiters.

A Yes, they could do so.

Q Did on the other hand, the blockleiters and zellenleiters have any right to give orders and instructions to the amtsleiters?

A No, none at all.

Q The Prosecution calls the blockleiters and zellenleiters "Little Nazi Princes", did they have any rights or functions which would justify their being called such?

A No, none at all.

Q Did they have any police functions or authority?

A No, none whatsoever at no time.

Q Did any political leiter even on a higher level have the right to mobilize the SA for instance?

A No party organization had any functions or rights which were actually functions and rights of the state of any kind, but, on the other hand no organization of the party had any rights insofar as the SA or SS was concerned. They led their independant life uninfluenced by any other organization of the party.

Q To make it perfectly clear your answer does not exclude the possibility that a political leiter could come with a request could beg some other party function for cooperation?

A Of course, every relation between the political leiter and the SA was cordial and comradely like. Amtsleiters asked an official of the SA, who had the same rank as he, for the cooperation of the SA men for a specific party function and such a request, as a rule, was always fulfilled.

Q The decision always rested with the unit leader of the SA, did it not?

A Yes, the decision remained with the leader of the unit.

RECESS.

(THE COMMISSION RECONVENED AT 1130 HOURS.)

BY DR. BERGES:

Q In the organization book we find on page 101: "Those who are

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spreading damaging rumors have to be reported by the blockleiters to the Ortsgruppenleiter, so that the state authority in such confidence he falls can be at fault." Were the blockleiters requested by the zellenleiters or by the Ortsgruppenleiter to spy on those people living in their block as the prosecution claims, referring to that condition which I just read to you?

A Nom never, in no manner whatsoever.

H0936-0060

Q Did there exist even a regulation prohibiting such kind of spying?

A Yes, it was thought that the blockleiter should enjoy the confidence of the people living in his block. He surely could not have enjoyed such confidence if he would have spied on anyone.

Q Do you know of an order issued by Hitler and posted in all party offices during the last few years saying "that only that person should know about a matter who is concerned with the execution of it." No one should know more of a matter than he has to know to execute his task. Did the ortsgruppenleiter conduct business in such a manner?

A I do know that the ortsgruppenleiter did act in accord.

Q Did there exist any secret order or regulations issued to the blockleiters and the zellenleiters?

A No, it did not exist as the blockleiters and zellenleiters did not have any installations to lock such things away as one has to do with secret orders.

Q The prosecution makes particular reference to the newssheet, "The Office Holder". Was that paper given to the blockleiters and zellenleiters?

A As far as I know, it went only as far as the ortzgruppenleiter, the top man of the lower level.

Q I have before me Document PS 2958, which is the magazine "The Office Holder". On the inner cover of the magazine there is a key for distribution. That key begins with Gauleiter and ends with Ortsgruppenleiter. Your testimony therefore could be in accord with that key of distribution stating that the blockleiters and zellenleiters did not receive the publication, "The Office Holder."

A Yes.

Q Are you able, on the basis of your experience gained in western Germany, to make a general statement in regard to the crimes which the political leaders are accused of in regard to peace, war and humanity?

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A Yes.

Q What can you say in regard to the planned and contemplated aggressive war planned by the corps of political leaders?

A The political leaders in the west of Germany, which had suffered in previous wars, certainly did not know of and desire an aggressive war.

Q What was the relationship of the election results of March, 1933 in the west of Germany as compared to the entire Reich.

A As far as I remember the number of votes for the Nazi party in the west of the Reich was low, compared to the entire Reich?

Q On the basis of those results which showed a poor showing from quite a few of the Nazi party, were efforts made in the west of the Reich to gain that part of the Reich for the Nazi part and if so, what efforts were made?

A The party had a particular difficult state in the west of the Reich and it could not have succeeded at all if it would have advocated war in any manner.

Q Is it not true that in the west the political leiters particularly stressed the peaceful intention and declarations of the Reich Government?

A Yes, that is true. After the election results of March 1933 we spread particular propaganda based on the manifestations of peace and love, which the Fuehrer had given us. We had a speci pamphlet, containing excerpts of speeches of the Fuehrer, which we widely distributed to the population.

Q I have obtained up to now only one copy of the pamphlet entitled "Sixty Five Million Desire Peace and Work." I shall submit it as a Document.

Beyond those propaganda efforts which you just mentioned did there exist in the western part of Germany other facts and factors which would have indicated the non-existence of the intention to conduct an aggressive war.

A Yes.

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Q Would you mention those facts of special importance?

A In the west of the Reich which is particularly poor, we strongly realized our social obligation. We built schools, home for children and hospitals and naturally one would not have engaged in such work if one had planned an aggressive war which would destroy those institutions.

Q Could one mention the connections with the western wall?

A I could mention the western wall. Those bunkers were built quite publicly. I was acquainted with it as a civilian and as a soldier, but it certainly could not have been used for an aggressive war.

Q To what extent were the political leiters informed about the construction of the western wall?

A They were well informed because it was their obligation to care for the workers and employees used in the building of the western wall, they were also asked to join in explanations of the structure and construction and to advise in regard to materials to be used.

Q Was it necessary to gather from the building of the western wall that Hitler was contemplating or planning a war for the near future?

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A I thought he just wanted to play safe and protect the welfare of the state, which he created in the Reich.

COLONEL KAREV: I don't think the witness can testify about the intentions of Hitler nor can he pass judgement on that.

CAPTAIN TUBRIDY: That is quite true.

BY DR. BURGES:

Q The witness was supposed to state what connec tions the political leaders drew from the political activities and actions of Hitler.

How far was the western wall completed and how far had the construction progressed in 1939?

A When I entered the western wall as a soldier in 1939, it was not completed at all. Many of its installations had not been completed, both externally and internally. I considered the defensive value in certain spots equal to zero.

Q What position did the population of the Rhineland take to the attacks by enemy pilots?

A As is well known, the Rhineland suffered most severely by air attacks as there did not pass one day in which my Gau was not hit. We suffered particularly heavy from low flying pilots especially in 1944 and 1945.

Q Did the political leiters have anything to do with the arrest or with the taking into custody of pilots who had to leave their planes in an emergency?

A No, that was handled exclusively by the Army, the police and the Landrat.

Q Do you know of an order by Bormann giving certain instructions to the political leaders in regard to that?

A Yes, I know of the letter by Bormann. I think I almost know it by heart.

Q Give us the contents of the letter by Bormann, which you know.

A In reference to the letter, I remember as follows: "In various parts of the Reich the indignation of the people in regard to low flying pilots, expressed themselves in lynching of the fliers who had to land in an emergency. The Police authorities have been instructed not to interfere with

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such outbursts of indignation. This is called to your attention." That is the end of the letter.

Q Approximately when did you learn of that letter?

A I think it was in November of 1944.

Q Did similar instructions issued by Goebbels precede or follow that letter?

A If I am not mistaken, Goebbels instructions preceded Bormann's letter by six or seven days.

Q How did you take the instructions by Goebbels and Bormann?

A Bormann's letter I took to my files, but since the matter had been discussed in the press I made that subject the topic of my conversation in my next conference with the Kreisleiters and I told them that as far as my Kreis was concerned the old regulations remained in force, such as the taking into custody of enemy pilots and that remained the obligation of the army and the police.

Q Did that mean you and the others in your Kreis put yourselves constantly in opposition to Bormann's instructions?

A Yes, so we did and I think we did so on the total level of the Gau, because up to that time the political leaders had been part of the Landsratsamt and we pulled out of the Landsratsamt after the issuance of that order.

Q You did that because you considered that attitude suggested by the order to be illegal, inhumane and immoral?

A The lynching of a person who is defenceless, regardless of the method he used in thedefense of his country, is inhuman.

Q Did that attitude taken by the political leaders of the Reich Rhineland show the attitude of the overwhelming pupulation of the Rhineland too?

A Yes. Practially all the Rhineland is catholic and practically all the political leaders of the Rhineland were Catholic, but I can mention a few exceptions on one hand. Such a lynching act would have brought the people of the Rhineland in strict contradiction to their religious views.

Q Have you in your capacity as a political leader learned of

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any instances of such lynchings?

A No, I do not know of any such case and only in one instance I had to become active on behalf of one of those pilots who had landed in an emergency.

Q How were foreign laborers treated in the west.

A They were treated very well.

Q The prosecution submitted a Document mentioning abortions performed on foreign women laborers. What do you know about that insofar as the Rhineland is concerned? The Document is D-884.

A The office of enthical questions was the one concerned with foreign

laborers and through the information of that office I learned about those matters

Q What do you know about these abortions?

A The matter was not within the confidence of the Nazi party, but through the office of Ethical affairs I learned of it. If a foreign worker became pregnant and she personally requested the abortion and if the pregnancy had not lasted too long so that an abortion could have become dangerous, then upon the request of the worker such an abortion could be performed.

Q Do you know of abortions on the basis of that regulation or on the basis of your own experience in your Kreis?

A No, I know of no abortion in my Kreis. I only know of twenty or more children being born.

Q What happened to the children?

A The birth took place on the farm if the farmer had space enough and if not, in a hospital. The woman did not work during confinment and when she recuperated she took her place as any farmer's wife and the farmer took care of the infant.

Q Were there any collective shelters for foreign labors in your Kreis?

A Yes.

Q How were they furnished?

A In the Rheinsland near Trier in 1941-42 there were particularly good barracks, The young boys and girls arrived there from Kiev and there were but three or four in one room. Each of them had a bed of their own with mattresses with three blankets, a pillow and linen. They had tables and chairs and even good chinaware.

Q Did foreign laborers receive clothing through the clothing collections of the party?

A Yes. Everything that could be used and it was almost as good as new. The best things were given to our foreign laborers.

Q Another point of the prosecution. Did you have to follow instructions issued by your superiors hostile to the church?

A No. Anything of that kind, I never received.

Q Were you personally asked to leave the church or give instructions to that effect to your subordinates?

A No, never.

H0936-0066

Q Did you or your subordinates participate in the persecution of ministers of the church or members of religious orders?

A No.

Q Did you persecute people hostile to you politically?

A No, I can submit documents proving that I actively aided both the church and people political hostile to us.

Q Would the persecution of politically hostile forces in the Rhineland be identical with the persecution of the church?

A The politically hostile forces in the Rhineland were concentrated around the old center party and any fight against those forces would have been interpreted as a fight against the church and against faith.

Q How large, in you estimation, is the percentage of Catholics among the population of the Rhineland?

A In the Rhineland the population was about five-sixths or three-fourths Catholic.

Q Was not this decisive factor true of the Catholic population in their attitude toward the persecution of the Jews?

A The feeling was active against any persecution taken by the political leaders.

CROSS EXAMINATION

BY COLONEL GRIFFITH JONES:

Q I want to ask you first to clear up the position of the outer group of the Kreis. All political leaders and all members of their staff were presumable members of the party, were they not?

A No, not all of them. Workers of the NSV could work without being party members.

Q Whether or not they were members of the party, they were all occupying those positions voluntarily?

A Yes.

Q By carrying out the work in these positions, they were supporting the party

A Yes.

Q Of course, they all knew the broad principles of the party policy?

A No, I would not say so. Many of them knew just what they had to know for the fulfillment of their particular tasks.

H0936-0067

Q Let me state one or two examples of what they did know. They all knew, did they not, that anti-semitism was one of the fundamentals of the Nazi policy?

A Yes, that was a part of the party program.

Q They all knew, as did every man in Germany, that millions of men and women from occupied territory had been brought back as forced labor for the German people?

A No, not everyone knew that.

H0936-0068

H0936-0069

Q. Are you telling me that everyone in the Rhineland did not know that there was being employed in every industrial city tens of thousands of people in forced labor ?

A. Under forced labor am I to undestand you mean members of foreign population who had been compelled to come to Germany as foreign labor ?

Q. Yes, that is what you should understand. Did you not know that there were such people in large numbers being employed in every town and city in the Rhineland ?

A. Yes, I knew that, but through my many personal intimate contacts and conversations I knew how they happened to come to Germany. I knew they did not come by compulsion but they came voluntarily.

Q. Are you saying that you thought all the foreign labor employed in Germany came voluntarily ?

A. At least they did not tell us different.

Q. So your answer to my original question on that was that all the persons employed on the Kreis staff and the various political leaders did not know that forced labor was being employed in Germany ?

A. Yes, I would say so.

Q. Let us go on to another matter of general policy. They knew that concentration camps existed, did they not ?

A. Yes, all I knew was by hear-say that there existed a concentration camp at Dachau.

Q. I am talking about all the Kreis staff, particularly those in the wider circle, the Erweiter. They all knew that concentration camps existed ?

A. Yes, but they did not know more than the fact that a concentration camp existed at Dachau, but what was actually going on they did not know, nor did I.

Q. They all knew that there was a secret state police in the form of the Gestapo ?

A. That, everyone knew.

Q. People knew, did they not, that the Gestapo had the right and exercised the right to deprive citizens of their liberty and put them into concentration camps ?

H0936-0070

A. Yes, they knew that it was the task of the Gestapo and there were various reasons for such actions.

Q. It was known, was it not, that if the Gestapo got ahold of you, you had no trial ?

A. No, all they knew was that the competence of the Gestapo was political action, whether you subsequently had a legal trial of any kind or trial, they did not know, nor did I.

Q. They realized, did they not, that the anti-Jew policy, the concentration camps and the Gestapo were all the official policy of the Nazi party ?

A. That I would not say without modification. One certainly could not say that the German people as a whole were anti-semitic. For example, I could say that I am not anti-semitic.

Q. They knew the matters which I mention, anti-semitism, concentration camps and the Gestapo were parts of the official Nazi state policy ?

A. No, in that fashion they did not know it. All the people experienced the fact that arrests were made and the people were delivered to the courts. What happened afterwards, they did not know.

Q. I do not know if you understand my question. Those matters could not have gone on unless they had been officially recognized by the Nazi Government, could they ? Was that not recognized by all members of the outer circl

A. It was a part of the state policy to solve the Jewish question. It was not a systematic system of the Gestapo to eliminate Jews, but just in individual cases.

Q. I don't know if it is a guilty conscience or not, but please do not introduce matters which I have not asked about. So far, I have not made any mention about the liquidation of Jews.

Let me turn to another matter. The Kreisleiter, the Gauleiter and the Ortsgruppenleiter could never have performed their functions if they did not have the staffs under them, which you described ?

A. They needed their staff of assistants.

Q. That was apparent to everyone was it not ?

A. Yes.

Q. The whole system of Nazi government relied upon the offices of the Gauleiter, the Kreisleiter and Ortsgruppenleiter ?

A. They were the leading offices of the party.

Q. The Nazi system of Government depended upon those organizations ?

A. I did not depend upon them because the system of Government was a state government.

Q. The Nazi party depended upon the offices of the Gauleiter, the Kreisleiter and the Orts/ruppenleiter and the other political leaders ?

A. Yes, the political leadership of the party depended on that.

Q. I will ask you one question to complete that matter, If the person employed in the lower brackets, the outter circle, knew, as you have admitted they must have known, that the Nazi party accepted the principles of anti-semitism, concentration camps and the Gestapo, and that the party relied upon the leadership corps and that the political leaders themselves could never function without the outter circle, the Erweiter, why do you say that the Erweiter should not be included in the organization which we are attempting to say is criminal ?

A. Those members f the wider circle were only professional function performers, such as administering the finances, taking care of shelters for air raids, etc. I cannot say that these people should be considered as part of the other group.

(The Commission recessed at 1300 hours).

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(The hearing reconvened at 1430 hours, 7 June 1946)

EWALD SCHLIECKER - Resumed.
CROSS EXAMINATION - Continued.

BY COLONEL JONES:

Q I want to ask you a few questions about the particular office holders in the leiter standarte. The first one you gave us was the office for common law politics. What were the functions of that office?

A The function of that was to take care of the community administration on the business of law, called the Gemeindeordnung. It's regular function was to serve as a counsel in regard to the appointment of members of the city council.

Q And were the members of the city council members of the Nazi Party?

A They were not compelled to be party members. All of them were not actually members of the party.

Q Were the vast majority of them members of the party?

A Fifty per-cent.

Q Was the city council under the authority of the Kreisleiter?

A No, it wasn't.

Q Can you explain to us why it should be that the Kreisleiter should have an office for the selection of persons employed by the City Council if the City Council was not under it's authority?

A In accordance with that law which I mentioned, the Gemeindeordnung, the party had a right to such appointment, to fill vacancies whenever they occurred in the city council, and whenever the party met, the authorities made the appointments.

Q Now I take it that all of the recommendations made by the Kreisleiters Department, then all communal politics were [illegible] to persons who were members of the party.

A If they were actually members of the party - because particularly in the country there were too many party members.

Q Can you tell me what the duties of the technical office were?

A The office of technical tasks sought the union of those who were in occupations of a technical nature and directed their political activities and brought to the attention of the authorities all revenues and matters

H0936-0073

pertaining to their betters and also if they occurred in the lower strata of society, because the state itself did not have a system going as low and as deep as the party had.

Q Why do you say that the Kreishauptmannleiter in charge of this office was not a political leader which was responsible for the political training of the persons?

A Because the propaganda amt training in his department was not his own intelligent responsibility but actually emerged from special departments for propaganda and training.

Q Could you tell me the tasks, and I want you, if you will, to try to keep it as short as possible, can you tell me the tasks of the economic department?

A His title was actually only adviser for economic affairs and only during war time he had a real function in regard to the economic enterprises which had been bombed out.

Q Will you tell me the tasks of the volksturm or racial department?

A That department was concerned with orders which came into existence by the employment of foreign labor.

Q Were you during the war in a position to have knowledge of the conditions in the Ruhr?

A No, that section of the country was too remote.

Q Was it the duty of the SS of the volksturm department to become acquainted with the conditions of all foreign workers in it's Kreis?

A No, actually foreign labor was considered to be in the labor office, the Reichsnahrstand, which is an organization of all foreigners, and only in cases where the employer or employee requested the aid or assistance of the party in whom they had more confidence, only in those exceptional cases was the AMT Volkstumm concerned with foreign labor questions.

Q Was the Volkstum then or the Kreis more concerned with the welfare of foreign laborers?

A To some degree, yes, but the executive power in regard to the foreign labor rested with the NSDP and National Socialist Party.

Q If foreign laborers had been mistreated and had been living under inhumane conditions, would the Volkstum Department have had knowledge of that?

A No, only in exceptional cases.

Q Then perhaps you can tell me with more particularity what it's duties were in respect to foreign labor?

A That office for handling affairs came into existence only after the outbreak of the war, foreign labor was imported into the Reich, and no existing office of the party could take on the new tasks because the already existing offices were over-burdened and it was necessary that some person of the party would be informed of all relations concerning foreign labor, and in spite of the fact that those offices in reality couldn't deal with it, it was necessary that some party member should know all about these complaints, they should reach the party, and it was necesarry because the party itself goes much deeper in the common people than any of the state institutions.

Q And going also deeper as it did, is it possible that some twenty thousand persons, foreign laborers, for instance in Essen, should have been living for months under the most incredible conditions without anybody in the Kreis knowing of it?

A I don't know about the conditions at Essen, but I do know that the people lived in such conditions as the German people themselves lived, because both the German and foreign people suffered so heavily under the assault of air attacks.

H0936-0074

H0936-0075

Q Very well, we will leave that. I don't want to waste time on that but we will go on to the next department, the racial politics. What was their job?

A Practically the office for welfare affairs did not function at all. I could only say theoretically what it was supposed to do, but what it did do I don't know.

Q What was it theoretically supposed to do, persecute the Jews?

A I said it w as the functions of the office in welfare cases to spread enlightenment and knowledge on welfare problems and to advise people on the laws of inheritance as formulated by the manual, and on questions like marriage and family problems.

Q Was there any connection or liaison between that office and the similar office in the SS organization?

A No, not that.

Q Will you tell me what the press officedid?

A The press office handled the press or whatever happenings or occurrences there were.

Q The veterans' office?

A That office was concerrned with the care of wounded in the hopsitals and the care of veterans who had to be dismissed from the armed services, with the familiesof people who had been killed in the service, with the pensions to them, and also similar questions.

Q The farmers' office?

A That existed only since 1942.

Q. Andthere has been a Kreishauptmannleiter in charge of that theoretical office?

A. Yes, that was in that respect, as a matter of fact, under the war department permit, and functioned only under that department.

Q. Then were his duties confirned only to theoretical duties with the farmers?

A. No, because in all cases it was the same thing, a Kreisnauernfuehrer, that means the leaders of the farmers, and in that functi n he had to perform a tremendous number of actual tasks.

Q. Then let me know the tasks he performed in that function?

A. As such he was subordinated not to the party but to the Bauerhnfuehrer or leaders of the farmers of the land or Reich and functioned in that way to secure the government in feeding the people.

Q. Will you tell me about the civil service department?

A. It unified all civil servants at one shot and had political direction of all civil servants.

Q. Very well, the education then?

A. The same as the civil service.

Q. The educational department presumably directed the education in accordance with the party and government direct, did n't it?

A. No, that wouldn't be correct. It was the office which took care of all those who were engaged in the profession of teaching.

Q. And why should they only take particular care of those. What were it's tasks in taking care of it?

A. It was necessary in regard to the profession of civil servants and of the educators because they were both out in important groups to give them for that office the right Nazi spirit and right thinking of the party.

Q. And the other, the welfare and labor groups, I don't think I need worry any more. Now tell me, in industrial centers, employing a great number of people in factories, would there be amongst those employees a number of men who were blockleiters and zellenleiters?

A. Yes.

H0936-0076

Q. If anything was wrong, would it be their duty to report it to the ortsgruppenleiter or to the higher formations of the party? For instance, suppose that a Revolution was being organized and the blockleiters heard about it, a blockleiter heard about it, would it be considered his duty to report it?

A. I guess it wouldn't have been necessary, because the ortsgruppenleiter goes just as deeply as the blockleiter and it would have been in the mouths of the people and they would have known about it, but I wouldn't attempt to answer that.

H0936-0077

Q And if the Ortsgruppenleiter heard about it, he, of course, would have reported it to higher formations?

A Yes, but I must stress here, however, it was the function of the party to supervise hostilities toward the State.

Q It was the function of the party, however, to maintain the high unsullied reputation, it was the task of the parties and it's leadership group to maintain it's high unsullied reputation?

A It was the task of the party to form the socialist state and it was the function of the stae to see that all hostile sources would be curbed.

Q And then it would be in accordance with the official status of the state to have vast numbers of foreign workers living in inhumane conditions?

A No, it wouldn't have been.

Q If it had happened it would certainly have been the duty of all ranks of the political leaders to report it and remedy it, would it not?

A No, not exactly, because those tasks were the tasks of the labor office, but if the party authorities would have heard about it, the party probably would have bealled it to the attention of the labor office.

H0936-0078

Q Therefore, I will leave that subject. I want to turn to document D-884, and that is, as you see, a letter dated the 28th of March, 1944. Perhaps the Interpreter could look at it the same time as the witness.

INTERPRETER: To what page are you referring?

BY COLONEL GRIFFITH JONES:

Q And it is on respect to the abortion and the treatment of children of those foreign women workers. Would you look at page 2 of the letter? Under paragraph I: "The factories will report all cases of pregnancy to the common labor office." What labor office is that?

A That was the labor office of the state.

Q Will you look over on the page at the distribution, and you will see that it is distributed among other offices, the Gauleiters offices. Do you not see now that paragraph 1, part 2 of the letter refers to the Gau labor office?

A No, the usual procedure of the state labor office it obtained a copy of such a letter and refers to it such letter so that it should have been informed.

Q The Gau labor office, you mean?

A Yes.

Q Look at paragraph 2, the Youth office, is that an office of the Gau?

A No, the Youth office is again a Governmental department existing on the different levels of state government.

Q And in the last line of paragraph 2 the Youth office reports to the health office, what sort of office is that?

A Exactly as the Youth office, the Health office is an office of no authority, a landarte, which is a state government official of the party.

Q And the letter is sent to the Gauleiter for national health, simply for information, is that right?

A Yes, that is exactly correct.

Q Very well, now would you look at --let me refer you to a copy of a document of an airman in the Rhineland under Bormann, and I have here an order of March, 1940, which is a directive from the Deputy Fuehrer Hess and is addressed to all Gauleiters. It encloses with it a directive which reads as follows:

"Enemy parachutists are immediately to be arrested or liquidated."

and it contains instructions -

DR. BERGES: Do you have the original German text?

H0936-0079

COLONEL JONES: I haven't got it here but it has been exhibited and it can be found. It was exhibited. Did I not hand you one the other day? I haven't got the original here but it has been exhibited.

DR. BERGES: As far as I can remember the original text did not use the word "liquidate", but "to make harmless".

COLONEL JONES: I quite agree with you. I believe that is so. It is translated into English as "liquidate" but that is so.and I submit the exact words in German

BY COLONEL JONES:

Q The letter contains directions under which this information was to be passe orally to Kreisleiters, Ortsgruppenleiters, Zellenleiters and Blockleiters.

A I don't know these instructions. I never saw them in my life and at that time I was a soldier.

Q Can you, with your experience, tell us what the purpose of distributing that information to the blockleiters and zellenleiters and Ortsgruppenleiters was'

A No, I can't and I am at a lose to define the whole tasks because it was the task of the army and landrat to deal with this matter.

Q This document is described as a state secret. It is to be passed on only personally in two envelopes against a receipted certificate, translation, if possible, through courier or trusted personnel. Copies of any kind, as well as making of excerpts is prohibited and the personnel responsible for safe keeping was to suffer the severest punishment in case of a violation of these rules. Here the blockleiters and zellenleiters and indeed

H0936-0080

H0936-0081

all of the political leaders were used by the Nazi Party as a means of or for the purpose of passing secret instructions to the party?

A No, I don't consider it anything extra-ordinary when matters pertaining to the war should be kept secret?

Q If the blockleiters and zellenleiters are not regarded Hoheitstraeger and thoroughly reliable party people, why is it they have been associated with this exceptionally secret instructions?

A On the one hand I don't know whether these regulations should be considered extra-ordinary, and on the other hand it was necessary to keep the party officials informed that precautions had been made against enemy airplane attack, and it was necessary to keep those instructions secret in order to avoid frightening the population.

Q The point I am putting to you is that, doesn't it appear from this letter that Hess at anyrate regarded all political leaders right then like blockleiters and so on, as being of the same reliability and members of an organization to which he could pass orders he considered to be the most secret instructions?

A No, I don't think so, because I know that Hess, the Deputy Fuehrer, issued another instruction in which he clearly stated that blockleiters and zellenleiters should not be considered Hoheitstraegers in the party.

CAPTAIN TUBRIDY: Did I understand you to testify you were not familiar with Bormann's instructions because you were in the army at that time?

WITNESS: No, I did know Bormann's instructions in 1944. The fact I did not know today was the order of Hess in 1940 to which Colonel Jones referred.

(The Commission adjourned at 1530 hours, 7 June 1946.)

The foregoing is a true and correct transcript of the testimony of EWALD SCHLEICKER, taken on 7 June 1946.

Alice Meehan
Reporter

Rose Cook
Reporter

CERTIFIED TO:

Joseph F. Tubridy
Commissioner